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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,470	07/08/2003	Patricia Wilson-Nguyen	FM-220J	9332

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EXAMINER
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PIZIALI, ANDREW T

ART UNIT	PAPER NUMBER
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1771

DATE MAILED: 08/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/615,470

Applicant(s)

WILSON-NGUYEN ET AL.

Examiner

Andrew T. Piziali

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) 8-19, 22, 23 and 27-31 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7, 20, 21 and 24-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/14/2003.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election of Species I, claims 1-7, 20-21 and 24-26 in the reply filed on 7/11/2005 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)). Claims 8-19, 22-23 and 27-31 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species.

### ***Specification***

2. The disclosure is objected to because of the following informality: The status of parent application 09/715,496 has not been updated in the specification to show that it is now US Patent No. 6,727,197. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102/103***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claim 21 is rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over USPN 6,767,218 to Marmaropoulos.

Regarding claim 21, Marmaropoulos discloses a textile electronic connection system comprising a male fastener portion (11) including deformable prongs (15) and one portion of a connector (20) between the deformable prongs and a female fastener portion (12) including recesses (16) which receive the prongs of the male fastener portion, the female fastener portion includes the other portion of the connector (25) disposed between the recesses of the female fastener portion (see entire document including Figure 1 and column 3, lines 12-20).

***Claim Rejections - 35 USC § 103***

6. Claims 1-5, 24 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,350,129 to Gorlick in view of USPN 6,767,218 to Marmaropoulos.

Regarding claims 1-5, 24 and 26, Gorlick discloses a textile electronic connection system comprising a woven textile ribbon including integrated transmission elements running the length of the ribbon to transmit data and/or power along the length of the ribbon and a fastener on the ribbon for connecting the ribbon to another ribbon or device (see entire document including column 1, line 44 through column 2, line 10, column 4, lines 17-58 and Figure 3).

Gorlick is silent with regards to specific end connectors, therefore, it would have been obvious to look to the prior art for conventional connectors. Marmaropoulos provides this conventional teaching showing that it is known in the wearable electronic device art to use a fastener including a male portion (11), and a female portion (12), wherein the male portion includes a deformable element (15) which releasably locks the male and female portions together, and a connector (20) integrated with the fastener portions and connected to the

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integrated transmission elements to quickly allow connection and disconnection in a robust and reliable fashion (see entire document including column 1, lines 12-34, column 3, lines 12-20, and Figures 1-2). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the end connectors from the connectors taught by Marmaropoulos, motivated by the expectation of successfully practicing the invention of Gorlick and because the connectors are mechanical strong and easy to operate (column 1, lines 35-40).

Regarding claims 2-5, 24 and 26, Marmaropoulos discloses that the connectors may include deformable prongs (15) and that the female portion of the fastener may include recesses (16) that receive the prongs (see Figures 1-2 and column 3, lines 12-20).

Regarding claims 3-5, 24 and 26, Marmaropoulos discloses that one portion of the connector (15) is disposed between the deformable prongs of the male portion of the fastener and the other portion of the connector (25) is disposed between the recesses of the female portion of the fastener (see Figures 1-2).

Regarding claims 4 and 5, Marmaropoulos discloses that system includes a guide channel in the female portion of the fastener about the connector portion for guiding the connector portions together in only one direction (see Figures 1-2).

Regarding claims 24 and 26, Gorlick discloses that separate straps can be interconnected (column 4, lines 39-49).

7. Claim 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,350,129 to Gorlick in view of USPN 6,767,218 to Marmaropoulos as applied to claims 1-5, 24 and 26 above, and further in view of USPN 6,522,531 to Quintana et al. (hereinafter referred to as Quintana).

Gorlick discloses that the wearable electronic device may function as an effective power bus and/or data communication network (column 4, lines 19-23), including use as an internet network (column 5, lines 46-50), but Gorlick does not mention specific connector end connections. Gorlick is silent with regards to specific connect end connections, therefore, it would have been necessary and thus obvious to look to the prior art for conventional connector end connections. Quintana provides this conventional teaching showing that it is known in the electronic wearable device art to use USB and/or Lemo connector end connections (see entire document including column 1, lines 15-20, column 3, lines 46-61, column 4, lines 31-38, and column 5, lines 26-35). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the connector end connections from USB or Lemo connector end connections motivated by the expectation of successfully practicing the invention of Gorlick.

8. Claims 20 and 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,350,129 to Gorlick in view of USPN 6,767,218 to Marmaropoulos as applied to claims 1-5, 24 and 26 above, and further in view of USPN 2,021,111 to Wheat.

Gorlick does not specifically mention an overmolded portion, but Wheat discloses that it is known in the wearable electric device art to overmold a portion onto the end of a connector (Figure 4 between (10) and (4)). It would have been obvious to one having ordinary skill in the art at the time the invention was made to overmold a portion onto the end of each the connector, as taught by Wheat, because the overmolded portion would provide added strength and durability.

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9. Claims 1-5, 20-21 and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,350,129 to Gorlick in view of USPN 2,021,111 to Wheat.

Regarding claims 1-5, 20-21 and 24-26, Gorlick discloses a textile electronic connection system comprising a woven textile ribbon including integrated transmission elements running the length of the ribbon to transmit data and/or power along the length of the ribbon and a fastener on the ribbon for connecting the ribbon to another ribbon or device (see entire document including column 1, line 44 through column 2, line 10, column 4, lines 17-58 and Figure 3).

Gorlick is silent with regards to specific end connectors, therefore, it would have been obvious to look to the prior art for conventional connectors. Wheat provides this conventional teaching showing that it is known in the wearable electric device art to use a fastener including a male portion (12), and a female portion (10), wherein the male portion includes a deformable element (15 and/or 17) which releasably locks the male and female portions together, and a connector (13) integrated with the fastener portions and connected to the integrated transmission elements to quickly allow connection and disconnection in a robust and reliable fashion (see entire document including column 2, lines 14-38, column 3, lines 6-37, and Figures 3-4).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the end connectors from the connectors taught by Wheat, motivated by the expectation of successfully practicing the invention of Gorlick and because the connectors would protect the user from accidental short circuiting (column 1, lines 4-9).

Regarding claims 2-5 and 24-26, Wheat discloses that the connectors may include deformable prongs (15 and/or 17) and that the female portion of the fastener may include recesses (16) that receive the prongs (see Figures 3-4).

Regarding claims 3-5 and 24-26, Wheat discloses that one portion of the connector (13) is disposed between the deformable prongs of the male portion of the fastener and the other portion of the connector (14) is disposed between the recesses of the female portion of the fastener (see Figures 3-4).

Regarding claims 4 and 5, Wheat discloses that system includes a guide channel (socket walls) in the female portion of the fastener about the connector portion for guiding the connector portions together in only one direction (see Figures 3-4).

Regarding claims 20 and 25, Wheat discloses that the connector includes an overmolded portion (Figure 4 between (10) and (4)).

Regarding claim 21, Wheat discloses a textile electronic connection system comprising a male fastener portion (12) including deformable prongs (15 and/or 17) and one portion of a connector (13) between the deformable prongs and a female fastener portion (10) including recesses (16) which receive the prongs of the male fastener portion, the female fastener portion includes the other portion of the connector (14) disposed between the recesses of the female fastener portion (see Figures 3-4).

Regarding claims 24-26, Gorlick discloses that separate straps can be interconnected (column 4, lines 39-49).

10. Claim 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,350,129 to Gorlick in view of USPN 2,021,111 to Wheat as applied to claims 1-5, 20-21 and 24-26 above, and further in view of USPN 6,522,531 to Quintana.

Gorlick discloses that the wearable electronic device may function as an effective power bus and/or data communication network (column 4, lines 19-23), including use as an internet



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network (column 5, lines 46-50), but Gorlick does not mention specific connector end connections. Gorlick is silent with regards to specific connect end connections, therefore, it would have been necessary and thus obvious to look to the prior art for conventional connector end connections. Quintana provides this conventional teaching showing that it is known in the electronic wearable device art to use USB and/or Lemo connector end connections (see entire document including column 1, lines 15-20, column 3, lines 46-61, column 4, lines 31-38, and column 5, lines 26-35). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to make the connector end connections from USB or Lemo connector end connections motivated by the expectation of successfully practicing the invention of Gorlick.

### *Conclusion*

11. The following patents are cited to further show the state of the art with respect to quick release fasteners:

USPN 4,150,464 to Tracy

USPN 4,171,555 to Bakker et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew T. Piziali whose telephone number is (571) 272-1541. The examiner can normally be reached on Monday-Friday (8:00-4:30).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris can be reached on (571) 272-1478. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

atp

*gtp 8/12/05*  
**ANDREW T. PIZIALI**  
**PATENT EXAMINER**